

Exhibit A

McKinney, Thomas A.

From: Gary Trachten [gtrachten@kudmanlaw.com]
Sent: Tuesday, May 13, 2008 5:56 PM
To: McKinney, Thomas A.
Cc: Schaefer, Ian C.; Alisa Silverstein
Subject: Judd v Take Two

Tom - I received and returned your call, but mis-hearing it, thought that it came from Ian and I left a message with his secretary. Then, I replayed the message and realized that it came from you. Now, I am late for an out of office appointment, so I send you this email instead of calling, but feel free to call me tomorrow. Or I'll call you.

As the case is an ECF case, we e-filed our motion, which I understand to constitute service because all counsel of record are supposed to register. I am surprised to hear that you didn't receive it. Kathleen's email address appears on the docket sheet, so I would have expected that it went to her email box. I know that you folks have e-filed your answer and the confidentiality order, so I would think that somebody at your firm must be e-connected to the case. Did your firm receive Judge Lynch's 4/3 Opinion and Order and the So Ordered Confidentiality Stip? How did you receive it?

I recall that the e-filing rules provide that counsel are responsible for regularly reviewing the docket. I assume that you have found the motion and can read/print it off of Pacer. I hope that I have answered your question.

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5/16/2008